

ORDINANCE NO. G-10-01-28-941

AN ORDINANCE AMENDING CHAPTER 11, SECTIONS 11.409, 11.409.1, 11.410, 11.413, 11.414, 11.423, AND 11.802, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING AUTO SERVICE FACILITIES AND VEHICLE REPAIR FACILITIES AND BODY SHOPS; TO ADD THE DEFINITIONS OF "AUTO BODY, PAINTING AND REPAIR SHOPS" AND "LARGE VEHICLE AND EQUIPMENT REPAIR"; TO AMEND THE DEFINITION OF "AUTO SERVICE FACILITIES"; TO DELETE THE DEFINITION OF "VEHICLE REPAIR FACILITIES AND BODY SHOPS"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 11, Section 11.409, Subsection (2)(b) and (c), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.409 C-1 (GENERAL COMMERCIAL) DISTRICT

(2) Permitted Uses

(b) The following uses are permitted with conditions:

Use	Special Standard
Auto Service and Repair Facilities	11.423(3)
Bed and Breakfast	11.423(4)
Carwash	11.423(5)
Commercial Parking	11.423(6)
Eating Establishments	11.423(9)
Indoor Entertainment Activities	11.423(13.2)
Passenger Terminals	11.423(18)
Place of Worship (with accessory uses not exceeding 2,500 sf.)	11.423(19)
Place of Worship (with accessory uses exceeding 2,500 sf.)	11.423(20)
Residential to Office Conversion	11.423(20.1)
Self-Enclosed Monopole	11.423(31)
Self-Service Storage	11.423(23)
Single Family Attached (2 dwelling units)	11.423(24)
Single Family Detached	11.423(24)
Upper-Story Residential	11.423(26)
Utilities, Minor	11.423(27)(a)
Utilities, Intermediate	11.423(27)(b)
Vehicle Sales, Rental, or Leasing Facilities	11.423(29)

Wireless Transmission Facilities, Attached	11.423(31)
Wireless Transmission Facilities, Stealth	11.423(31)

- (c) The following uses are permitted subject to Special Exception criteria and approval by the Zoning Board of Adjustment:

Use
Auto Body, Painting and Repair Shops
Outdoor Entertainment

II.

That Chapter 11, Section 11.409.1, Subsection (2)(b) and (c), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.409.1 C-1a (GENERAL COMMERCIAL – LIMITED) DISTRICT

(2) Permitted Uses

- (b) The following uses are permitted with conditions:

Use	Special Standard
Auto Service and Repair Facilities	11.423(3)
Bed and Breakfast	11.423(4)
Carwash	11.423(5)
Commercial Parking	11.423(6)
Eating Establishments	11.423(9)
Indoor Entertainment Activities	11.423(13.2)
Office, Medical	11.423(15)
Passenger Terminals	11.423(18)
Place of Worship, with accessory uses not exceeding 2,500 sf.	11.423(19)
Place of Worship, with accessory uses exceeding 2,500 sf., but not greater than 10,000 s.f.	11.423(20)
Residential to Office Conversion	11.423(20.1)
Retail Sales and Services	11.423(21)
Self-Enclosed Monopole	11.423(31)
Single Family Attached, 2 dwelling units	11.423(24)
Single Family Detached	11.423(24)
Upper-Story Residential	11.423(26)
Utilities, Minor	11.423(27)(a)
Utilities, Intermediate	11.423(27)(b)
Vehicle Sales, Rental, or Leasing Facilities	11.423(29)
Wireless Transmission Facilities, Attached	11.423(31)
Wireless Transmission Facilities, Stealth	11.423(31)

III.

Chapter 11, Section 11.410, Subsection (2)(b), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.410 C-2 (LOCAL COMMERCIAL) DISTRICT

(2) Permitted Uses

(b) The following uses are permitted with conditions:

Use	Special Standard
Retail Sales and Services	11.423(21)(a)
Amenity Center (developments larger than two acres)	11.423(1)
Auto Service and Repair Facilities	11.423(3)(b)
Bed and Breakfast	11.423(4)
Community Service	11.423(7)(a)
Day Care	11.423(8)
Eating Establishments	11.423(9)(a)
Government Facility	11.423(11)
Office	11.423(14)
Office, Medical	11.423(15)
Place of Worship (with accessory uses not exceeding 2,500 square feet)	11.423(19)
Residential to Office Conversion	11.423(20.1)
Upper-Story Residential	11.423(26)
Utilities, Minor	11.423(27)(a)
Utilities, Intermediate	11.423(27)(b)
Wireless Transmission Facilities, Attached	11.423(31)
Wireless Transmission Facilities, Stealth	11.423(31)

IV.

That Chapter 11, Section 11.413, Subsection (2)(b), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.413 LI (LIGHT INDUSTRIAL) DISTRICT

(2) Permitted Uses

(b) The following uses are permitted with conditions:

Use	Special Standard
Auto Body, Painting and Repair Shops	11.423(2.1)
Carwash	11.423(5)
Large Vehicle and Equipment Repair	11.423(2.1)

Monopole	11.423(31)
Research and Development	11.423(20.2)
Self-Enclosed Monopole	11.423(31)
Self-Service Storage	11.423(23)
Utilities, Minor	11.423(27)(a)
Utilities, Intermediate	11.423(27)(b)
Utilities, Major	11.423(27)(b)
Waste-Related Services	11.423(30)
Wireless Transmission Facilities, Stealth	11.423(31)
Wireless Transmission Facilities, Attached	11.423(31)

V.

That Chapter 11, Section 11.414, Subsection (2)(b), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.414 I (INDUSTRIAL) DISTRICT

(2) Permitted Uses

(b) The following uses are permitted with conditions:

Use	Special Standard
Auto Body, Painting and Repair Shops	11.423(2.1)
Carwash	11.423(5)
Large Vehicle and Equipment Repair	11.423(2.1)
Monopole	11.423(31)
Research and Development	11.423(20.2)
Self-Enclosed Monopole	11.423(31)
Self-Service Storage	11.423(23)
Utilities, Minor	11.423(27)(a)
Utilities, Intermediate	11.423(27)(b)
Utilities, Major	11.423(27)(b)
Wireless Transmission Facilities, Attached	11.423(31)
Wireless Transmission Facilities, Stealth	11.423(31)

VI.

That Chapter 11, Section 11.423, Subsection (3), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.423 SUPPLEMENTARY USE STANDARDS

(3) Auto Service and Repair Facilities

- (a) Facilities are permitted subject to the following conditions.
 - (i) All services and repairs shall be conducted within an enclosed building.
 - (ii) Outdoor storage of vehicles is prohibited.
 - (iii) Buildings shall not be less than 50 feet from the boundary of any SF-R, SF-1, SF-2, TF, TH, MF, or SR district.
 - (iv) No automobile service and repair facility shall be permitted to have bay doors facing a SF-R, SF-1, SF-2, TF, TH, MF, or SR district.
- (b) Auto service and repair facilities in the C-2 district are restricted to gas stations (without vehicle repair/service bays) developed in conjunction with a retail convenience store.

VII.

That Chapter 11, Section 11.423, Subsections (28), (29), (30) and (31), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

(2.1) Auto Body, Painting and Repair Shops and Large Vehicle and Equipment Repair

Facilities are permitted subject to the following conditions.

- (a) All activities shall be conducted within an enclosed building.
- (b) All damaged vehicles shall be enclosed behind a minimum six-foot screening fence.
- (c) Buildings shall not be less than 100 feet from the boundary of any SF-R, SF-1, SF-2, TF, TH, MF, or SR district.
- (d) No facilities shall be permitted to have bay doors facing a SF-R, SF-1, SF-2, TF, TH, MF, or SR district.

(28) Vehicle Sales, Rental or Leasing

- (a) Vehicle sales, rental or leasing, including trucks and recreational vehicles, shall be subject to the following additional standards.
 - (i) Fixed lighting shall be so arranged to prevent direct glare of beams onto any adjacent public or private property or street.
 - (ii) Repairs shall be performed only within a principal building.
 - (iii) Screening shall be provided along all lot lines abutting or adjacent to residentially zoned or developed property, to block any view of the use, its operations and stored materials and equipment from all points on such residential property when viewed from a point six feet above ground level.

- (iv) Outdoor display of vehicles shall be set back a minimum of 20 feet from all lot lines abutting residentially zoned or developed property.
- (v) Landscaping shall be in accordance with Section 11.501.
- (vi) Facilities located in the BP district are restricted to limited vehicle renting with eight available vehicles located on site at any given time.
- (b) Vehicle sales are not permitted in the C-1a district, unless the use is located on a lot with frontage on IH-35 and shall be subject to the standards provided in paragraph (a) above.

(29) Waste-Related Service

Waste-related services are permitted in the LI district, subject to the following conditions.

- (a) The facility shall be visually screened from any adjacent roadways, residential districts and any other non-industrial uses by an eight foot perimeter fence. Any portion of the fence that is visible from the adjacent roadways shall be constructed of brick, stone, or similar masonry product.
- (b) All recycling bins shall be enclosed behind a minimum eight foot screening fence.
- (c) All solid, liquid or sanitary waste collected shall be stored within an enclosed building.
- (d) All manufacturing or production of goods or energy from solid, liquid or sanitary waste or recycled materials shall be conducted in an enclosed building.
- (e) Accessory buildings shall be set back more than 100 feet from SF and TF lots.

(30) Wireless Transmission Facility (WTF)

Wireless transmission facilities shall comply with the standards provided in Section 4.700 of this Code.

VIII.

That Chapter 11, Section 11.802, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to add the definition of "Auto Body, Painting and Repair Shops" to read as follows:

11.802 DEFINITIONS

Term	Definition
Auto Body, Painting and Repair Shops	An establishment that provides collision repair services for automobiles and light trucks and other similar motor vehicles, including body frame straightening and repair, replacement of damaged parts and painting. May also include general repairs, but excludes establishments in which the primary use is service or retail sales oriented, including, but not limited to, quick lube, brake shops, tire replacement, and muffler shops.

IX.

That Chapter 11, Section 11.802, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to amend the definition of "Auto service facilities" to read as follows:

11.802 DEFINITIONS

Term	Definition
Auto service and repair facilities	An establishment that provides service, repair and maintenance of automobiles and light trucks and other similar motor vehicles. Typical uses include gas stations (without vehicle repair/service bays), quick-lube services, tire sales and installation, engine repairs, muffler shops and wheel and brake shops. Does not include auto body repair and auto painting.

X.

That Chapter 11, Section 11.802, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to add the definition of "Large Vehicle and Equipment Repair" to read as follows:

11.802 DEFINITIONS

Term	Definition
Large Vehicle and Equipment Repair	An establishment that provides engine repair, servicing and collision repair and painting of tractor-trailers, semi-trucks, semi-trailers, or other vehicles having a gross vehicle weight of 17,000 pounds or more. Typical uses include engine service and repair garages, body frame straightening and repair, replacement of damaged parts and painting.

XI.

That Chapter 11, Section 11.802, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to delete the definition of "Vehicle repair facilities and body shops" in its entirety.

XII.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof

were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.


By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 29th day of January, 2010.

Alternative 2.

READ and APPROVED on first reading this the _____ day of _____, 2010.

READ, APPROVED and ADOPTED on second reading this the _____ day of _____, 2010.



ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Secretary

DATE: January 21, 2010

SUBJECT: City Council Meeting – January 28, 2010

ITEM: 9A1. Consider an ordinance amending Chapter 11, Code of Ordinances, to revise and establish definitions and use standards for auto service and repair facilities, auto body shops and large vehicle service and repair facilities. (First Reading)

Department: Planning and Community Development

Staff Person: Jim Stendebach, Planning and Community Development Director

Justification:

The current definitions and regulations for Auto Service Facilities and Vehicle Repair Facilities and Body Shops use overlapping terminology which causes confusion to business owners when evaluating a potential site. The amendments establish new definitions and clarify how these land uses are to be regulated. The major components of the amendment are:

- Auto Service and Repair Facilities typically include quick-lubes, tire sales and brake shops. All activities must be conducted within a building, which must be at least 50 feet from, and not have bay doors facing, any residential zoning district. No outdoor storage of vehicles is permitted. This use is allowed in the C-1 (General Commercial), C-1a (General Commercial – Limited) and C-2 (Local Commercial) zoning districts.
- Auto Body, Painting and Repair Shops include body frame straightening and repair, replacement of damaged parts and painting, as well as general repairs, but not uses such as quick-lubes, tire sales and brake shops. All activities must be conducted within an enclosed building, which must be at least 100 feet from, and not have bay doors facing, any residential zoning district. All damaged vehicles must be enclosed behind a screening fence a minimum of six feet in height. This use is allowed in the C-1 (General Commercial) zoning district by approval of a special exception, the LI (Light Industrial) and the I (Industrial) zoning districts.
- Large Vehicle and Equipment Repair includes repair and servicing of tractor trailers, semi trucks, semi trailers or other vehicles having a gross vehicle weight of 17,000 pounds or more. All activities must be conducted within an enclosed building, which must be at least 100 feet from, and not have bay doors facing, any residential zoning district. All damaged vehicles must be enclosed behind a screening fence a minimum of six feet in height. This use is permitted in the LI (Light Industrial) and the I (Industrial) zoning districts.

Strategic Plan Relevance:

N/A

Funding:

Cost: N/A
Source of funds: N/A

Outside Resources:

N/A

Public Comment:

Public notice was posted and a public hearing held in accordance with the City of Round Rock's Zoning Ordinance at the Planning and Zoning Commission meeting on December 16, 2009.